

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 12 and 15-21 are pending in this application, Claim 14 having been canceled without prejudice or disclaimer; and Claim 12 having been presently amended. Support for amended Claim 12 can be found, for example, in the original claims, drawings, and specification as originally filed.¹ No new matter has been added.

In the outstanding Office Action, Claims 12, 14-19, and 21 were rejected under 35 U.S.C. § 103(a) as unpatentable over Tatebayashi et al. (U.S. Patent No. 6,859,535; hereinafter "Tatebayashi") and further in view of Chan et al. (U.S. Patent No. 6,226,237; hereinafter "Chan").

In response to the rejection of Claims 12, 14-19, and 21 under 35 U.S.C. § 103(a) as unpatentable over Tatebayashi in view of Chan, Applicants have amended Claim 12 to include, *inter alia*, features formerly of Claim 14. Applicants respectfully submit that amended independent Claim 12 recites novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 12 is directed to a general purpose computer including, *inter alia*:

... power controller supplies power to said cross-authentication mechanism and said cocontrol mechanism even if power of said central processing unit is turned off and when said external storage card has been cross-authenticated with said general-purpose computer, said external storage card control mechanism plays copyrighted music data on a portable music playing device by connecting said external storage card to said portable music playing device ***even if power of said central processing unit is turned off.***

¹ See Claim 14.

Page 7 of the outstanding Office Action, in the rejection of Claim 14, states that Tatebayashi at column 8, lines 44-51 describes that “when said external storage card has been cross-authenticated with said general-purpose computer, an external storage card control mechanism plays copyrighted music data on a portable music playing device by connecting said external storage card to said portable music playing device.”

However, Tatebayashi fails to teach or suggest that “when said external storage card has been cross-authenticated with said general-purpose computer, said external storage card control mechanism plays copyrighted music data on a portable music playing device by connecting said external storage card to said portable music playing device *even if power of said central processing unit is turned off.*”

Tatebayashi describes that a “user places the memory card 200 in the personal computer 500 through the mediation of the memory card writer 300, receives digital contents, such as music data, from the outside via the Internet and records the received contents on the memory card 200. After recording, the user places the memory card 200 in the headphone stereo 401 and reproduces the contents recorded on the memory card 200 using the headphone stereo 401.”² However, Tatebayashi does not describe that the memory card 200 and the memory card writer 300 cross-authenticate and play music while power of the processor of the personal computer 500 is turned off, i.e. in an inactive state.

Accordingly, Applicants’ amended independent Claim 12 (and all claims depending thereon) is believed to be non-obvious and patentable over Tatebayashi. Further, Applicants respectfully submit that Chan fails to cure any of the above-noted deficiencies of Tatebayashi.

Thus, Applicants respectfully request the rejection of Claims 12, 14-19, and 21 under 35 U.S.C. § 103(a) as unpatentable over Tatebayashi in view of Chan be withdrawn.

² See Tatebayashi at column 8, lines 44-52.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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